

REMARKS

The present application is a continuation-in-part of United States Patent Application Serial No. 09/144,398 entitled Needle Tip Guard for Hypodermic Needles, filed on August 31, 1998, and now in the issuance process. The present application further claims priority to filing dates of the following United States Provisional and Non-Provisional Patent Applications:

- 1) Provisional Application Serial No. 60/012,343, entitled Protected Hypodermic Needle with Automatic and Manual Covering Means, filed February 27, 1996;
- 2) Provisional Patent Application Serial No. 60/025,273, entitled Hypodermic Devices with Safety Features, filed September 12, 1996;
- 3) Provisional Patent Application Serial No. 60/031,399, entitled Hypodermic Devices with Improved Safety Features, filed November 19, 1996;
- 4) United States Non-Provisional Patent Application Serial No. 807,328 entitled Needle Tip Guard for Hypodermic Needles, now issued as United States Patent No. 5,879,337;
- 5) United States Non-Provisional Patent Application Serial No. 09/172,185 entitled Intravenous Catheter Assembly, now issued as United States Patent No. 6,001,080, filed October 13, 1998.

The present preliminary amendment is being filed to seek protection of additional embodiments believed to fall within the scope of the present invention. More specifically, newly added Claims 14-21 herein are directed to those embodiments depicted in Figures 141-144, and discussed in the specification at Pages 63-64. In this regard, such claims are directed to needle protective devices for use in combination with elongate hypodermic needles and the like having

a bend or a change in axis formed along the length thereof. In this respect, such needles having a change in axis are well-known in the art, as stated in the application, and includes certain specialty needles such as Huber needles and the like. Additionally, the Examiner has advised that the format of the newly added claims submitted herein are substantially similar to those of the earlier issued patents, namely, United States Patent Nos. 5,879,337 and 6,001,080, as well as those of United States Patent Application Serial No. 09/144,398, the latter now in the issuance process, as discussed above.

Accordingly, Applicants submit that the claims of the present application clearly and distinctly claim the subject matter which Applicants' regard as the invention and, as such, are in a condition for allowance. Early notice to that effect is respectfully requested. To the extent the Examiner has any questions or requires additional information regarding this application, or has any suggestions to expedite the resolution of any outstanding issues of which the Examiner is aware, the Examiner is invited to contact Applicants' counsel at the number listed below.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made".

Application No.: INJEC-016C1

If any additional fee is required, please charge Deposit Account Number 19-4330.]

Respectfully submitted,

Date: 11/2/01

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

Please delete Claims 1-13 as originally filed without prejudice.

Please add Claims 14-22 as follows:

14. (NEW) A needle protective device for use with an elongate needle having proximal and distal ends and a change in axis formed intermediate said proximal and distal ends, said needle protective device comprising:

- (a) a needle guard slidably mounted on the proximal end of said needle, said needle guard having a movable needle trap that is transitional between a first retracted configuration and a second operative configuration wherein said needle trap traps said sharpened distal end of said needle;
- (b) a limiting apparatus formed upon said needle guard and engageable with said change in axis formed upon said needle for limiting the distance said needle guard slidably travels upon said needle, said limiting apparatus being operative to engage with said change in axis coincident with when said needle trap transitions from said first retracted configuration to said second operative configuration.

15. (NEW) The needle protective device of Claim 14 wherein said change of axis of said needle comprises a bend formed upon the length of said needle.

16. (NEW) The needle protective device of Claim 14 wherein said movable needle trap is biased against said needle when said needle trap assumes said first retracted configuration.

17. (NEW) The needle protective device of Claim 14 wherein said needle is selected from the group consisting of an epidural needle, a blood collection needle, a biopsy needle, a Seldinger needle, a Huber needle, an aspirating needle, and a solid stylet.

18. (NEW) The needle protective device of Claim 14 wherein said needle trap transitions from said first retracted configuration to said second operative configuration, said limiting apparatus subsequently engages with said change in axis.

19. (NEW) The needle protective device of Claim 14 wherein said limiting apparatus is operative to engage with said change in axis, said needle trap subsequently transitions from said first retracted configuration to said second operative configuration.

20. (NEW) The needle protector device of Claim 14 wherein said change in axis defines a change in profile, said change in profile being engageable with said limiting apparatus.

21. (NEW) The needle protector device of Claim 20 wherein said change in profile defined by said change in axis comprises at least one outwardly-bulging sidewall portion.

22. (NEW) The needle protector device of Claim 20 wherein said change in profile defined by said change in axis defines a recessed change in profile.